

Message Text

UNCLASSIFIED

PAGE 01 TOKYO 00806 190617Z
ACTION OES-06

INFO OCT-01 EA-09 ISO-00 FEA-01 ACDA-10 CIAE-00 INR-07
IO-13 L-03 NSAE-00 NSC-05 EB-07 DODE-00 /062 W
-----190926Z 091451 /20

R 190556Z JAN 77
FM AMEMBASSY TOKYO
TO ERDA GERMANTOWN
ERDA WASHDC
INFO SECSTATE WASHDC 4839

UNCLAS TOKYO 0806

ERDA FOR HELFRICH, BECKJORD, YEVICK, VANDERRYN

E.O. 11652: N/A
TAGS: TECH, JA
SUBJECT: DRAFT LMFBR ARRANGEMENT BETWEEN ERDA & PNC

1. PNC HAS THE FOLLOWING COMMENTS AND QUESTIONS ON THE DRAFT
ARRANGEMENT TRANSMITTED TO ERDA TOKYO ON DECEMBER 21, 1976:
A) ARTICLE 9.1.A. (1), ARTICLE 9.1.A. (2), ARTICLE 9.1.B.
PNC SUGGESTS CHANGE IN LAST PHRASE OF SENTENCE FROM QUOTE
FOR USE IN THE PRODUCTION OR UTILIZATION OF SNM OR ATOMIC
ENERGY UNQUOTE TO QUOTE FOR USE IN THE PRODUCTION OR UTILIZATION
IN FAST BREEDER REACTOR PROGRAMS AND FACILITIES UNQUOTE. THIS
LATTER IS WORDING OF 1969 ARRANGEMENT AND APPEARS APPLICABLE.
NEW WORDING APPEARS TOO ALL-ENCOMPASSING TO PNC WHO WOULD
NOT APPLY PATENT CLAUSE TO DISCOVERIES IN, SAY, LWR AREA.
B) ARTICLE 9.1.C. CONTAINS NO WORDING COMPARABLE TO A). ABOVE.
PNC SUGGESTS ADDTION OF PHRASE QUOTE FOR USE IN THE PRODUCTION
OR UTILIZATION IN FASTO BREEDER REACTOR PROGRAMS AND
FACILITIES UNQUOTE AFTER THE WORD QUOTE PARTY UNQUOTE
IN SECOND SENTENCE ARTICLE 9.1.C.
C) PNC INQUIRES AS TO REASON FOR OMISSION OF SUB-
LICENSE PHRASE IN ARTICLE 9.1.C. SINCE IT IS INCLUDED
IN A AND B.
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D. ARTICLE 9.1.C. ENVISAGES THE POSSIBILITY OF A LOAN OF
MATERIALS, INSTRUMENTS OR EQUIPMENT. PNC SUGGESTS
INCLUSION OF THE WORD QUOTE LOAN UNQUOTE IN ARTICLE 3.2,
WHICH WOULD READ QUOTE EXHCNANGE OR LOAN OF SAMPLES,
MATERIALS, INSTRUMENTS AND COMPONENTS FOR TESTING UNQUOTE.
E. ARTICLE 9.3. PNC UNDERSTANDS THE WORD QUOTE JURISDICTION
UNQUOTE IN THE SECOND SENTENCE TO MEAN RESPECTIVELY THE

USA AND JAPAN. IS THIS CORRECT?

F. ARTICLE 9.3 LAST SENTENCE. SINCE THIS APPEARS TO BE A NEW THOUGHT, WOULD APPRECIATE AN EXPLANATION AND EXAMPLE OF SITUATION WHERE QUOTE DETRIMENTAL EFFECT UNQUOTE MIGHT CROP UP WHEN PARALLEL LICENSING AUTHORITIES INTERACT.

G. PNC QUESTIONS DESIRABILITY OF INCLUDING PROVISION FOR JOINT INVENTION OR DISCOVERY BY PERSONNEL OF ERDA AND PNC TOGETHER. PRESUMABLY, PRESENT WORDING, IN EFFECT, MAKES EACH PARTY'S INVENTIONS OR DISCOVERIES JOINT, SO ADDITIONAL PARAGRAPH UNECESSARY. REQUEST CONFIRM, IF CORRECT.
HODGSON

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AGREEMENT DRAFT, NUCLEAR RESEARCH, NUCLEAR REACTORS
Control Number: n/a
Copy: SINGLE
Sent Date: 19-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: n/a
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
Disposition Date: 01-Jan-1960 12:00:00 am
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977TOKYO00806
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770019-0830
Format: TEL
From: TOKYO
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1977/newtext/t19770135/aaaabeqd.tel
Line Count: 73
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: 40fd07d4-c288-dd11-92da-001cc4696bcc
Office: ACTION OES
Original Classification: UNCLASSIFIED
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Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Retention: 0
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Review Release Date: n/a
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Review Withdrawn Fields: n/a
SAS ID: 3553511
Secure: OPEN
Status: NATIVE
Subject: DRAFT LMFBR ARRANGEMENT BETWEEN ERDA & PNC
TAGS: TECH, JA, US
To: ERDA
Type: TE
vdkgvwkey: odb://SAS/SAS.dbo.SAS_Docs/40fd07d4-c288-dd11-92da-001cc4696bcc
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